

6 MAR 1963

To amend the Central Intelligence Agency Act of 1949, as amended, and for other purposes.

1. Be it enacted by the Senate and House of Representatives of
2. the United States of America in Congress assembled, That this Act
3. may be cited as the "Central Intelligence Agency Act Amendments
4. of 1963."
5. Section 2. The Central Intelligence Agency Act of 1949, as amended
6. (50 U.S.C. 403 (a) et seq.), is further amended as follows:
7. (1) Amend section 3 by deletion of subsections (a) and (b)
8. and substitute therefor:
9. "(a) In the performance of its functions, the Agency is
10. authorized to exercise the authorities contained in sections 2301;
11. 2302(2) and (3); 2303 (b) and (c); 2304 (a)(1), (2), (3), (4), (5),
12. (6), (10), (12), (15), and (17); 2305; 2306; 2307; 2312; and 2383
13. of title 10, United States Code."
14. "(b) In the exercise of the authorities granted in subsection
15. (a) of this section, the term "Agency head" shall mean the Director
16. and the Deputy Director."
17. (2) Amend section 3(d) by deletion of the wording "section 2(c)
18. and section 5(a) of the Armed Services Procurement Act of 1947" from
19. the first sentence and substitute therefor, "section 2304 (a) and
20. section 2307 of title 10, United States Code." Further amend section
21. 3(d) by deletion of the wording "section 2(c), by section 4 or by
22. section 5(a) of the Armed Services Procurement Act of 1947" from the
23. second sentence and substitute therefor, "section 2304 (a), by
24. section 2306 or by section 2307 of title 10, United States Code."

1. (3) Amend section 4 by adding the following new paragraphs
2. (1) (G) and (1) (H), and (8), and further amend section 4 by deletion
3. of the words "Under such regulations as the Director may prescribe,
4. the Agency, with respect to its officers and employees assigned to
5. duty stations outside the several States of the United States of
6. America, excluding Alaska and Hawaii, but including the District of
7. Columbia, shall--" and substitute therefor, "Under such regulations
8. as the Director may prescribe, the Agency, with respect to its
9. officers and employees assigned abroad to duty stations outside the
10. several States of the United States of America, excluding Alaska
11. and Hawaii, but including the District of Columbia, may--".

12. "(1)(G) Pay the travel expenses of officers and employees of
13. the Agency and members of their families, while serving at posts
14. specifically designated by the Director for purposes of this para-
15. graph, for rest and recuperation to other locations abroad having
16. different environmental conditions than those at the post at which
17. such officers and employees are serving, provided that such travel
18. expenses shall be limited to the cost for each officer or employee
19. and members of his family of one round trip during any continuous
20. two-year tour unbroken by home leave and two round trips during any
21. continuous three-year tour unbroken by home leave."

22. "(1)(H) Pay the travel expenses of members of the family
23. accompanying, preceding, or following an officer or employee if,
24. while he is enroute to his post of assignment, he is ordered
25. temporarily for orientation and training or is given other temporary

1. duty:"

2. "(8) Provide appropriate orientation and language training to
3. members of family of officers and employees of the Agency in anti-
4. cipation of the assignment abroad of such officers and employees,
5. or while abroad."

6. (4) Amend section 4(3)(A) to read as follows:

7. "(3)(A) Order to any of the several States of the United States
8. of America (including the District of Columbia, the Commonwealth of
9. Puerto Rico, and any territory or possession of the United States) on
10. leave of absence authorized in section 203(f) of the Annual and Sick
11. Leave Act of 1951, as amended, each officer or employee of the Agency
12. who was a resident of the United States (as described above) at the
13. time of employment, upon completion of three years' continuous service
14. abroad or as soon as possible thereafter and may so order after com-
15. pletion of eighteen months such service without regard to the limitation
16. contained in section 203(f) of the Annual and Sick Leave Act of 1951,
17. as amended."

18. (5) Amend section 4(5) by striking out subsections (A) and (C)
19. and inserting in lieu thereof the following new paragraphs (A) and
20. (C):

21. "(A) In the event an officer or employee of the Agency or one
22. of his dependents, requires medical care, for illness or injury not
23. the result of vicious habits, intemperance, or misconduct, while on
24. assignment abroad in a locality where there is no qualified person
25. or facility to provide such care, pay the travel expenses of such

1. officer, employee, or dependent by whatever means deemed appropriate
2. by the Agency, including the furnishing of transportation, and without
3. regard to the Standardized Government Travel Regulations and section
4. 10 of the Act of March 3, 1933, as amended (60 Stat. 808; 5 U.S.C.
5. 73b), to the nearest locality where suitable medical care can be
6. obtained and on his recovery pay for the travel expenses of his return
7. to his post of duty. If any such person is too ill to travel unattended,
8. or in the case of a dependent too young to travel alone, the Agency
9. may also pay the round-trip travel expenses of an attendant or
10. attendants."

11. "(C)(1) In the event of illness or injury requiring hospitalization
12. or similar treatment incurred by an officer or employee of the Agency
13. who is assigned abroad, not the result of vicious habits, intemperance,
14. or misconduct on his part, pay for the cost of treatment of such
15. illness or injury.

16. "(11) In the event a dependent of an officer or employee of the
17. Agency who is assigned abroad, incurs an illness or injury while
18. such dependent is located abroad, which requires hospitalization or
19. similar treatment, and which is not the result of vicious habits,
20. intemperance, or misconduct on his part, pay for that portion of the
21. cost of treatment of each such illness or injury that exceeds \$35
22. up to a maximum limitation of one hundred and twenty days of
23. treatment for each such illness or injury, except that such maximum
24. limitation shall not apply whenever the Agency, on the basis of
25. professional medical advice, shall determine that such illness or

1. injury clearly is caused by the fact that such dependent is or has
2. been located abroad."

3. (6) In section 5, add the following new paragraphs (g) and (h):

4. "(g) Upon the termination of the assignment of an employee
5. appointed from another Government agency without a break in service
6. for duty with the Agency for a specific period of time agreed upon
7. by both agencies, such person will be entitled to reemployment in
8. such other Government agency in the position occupied at the time
9. of assignment, or in a position of comparable salary, or, at the
10. volition of the other Government agency, to a position of higher
11. salary. Upon reemployment, the employee shall receive the within-
12. grade salary advancements and other salary adjustments he would have
13. been entitled to receive had he remained in the position in which he
14. was employed prior to assignment to the Agency."

15. "(h) Settle and pay, whenever the Director determines that
16. payment will further the purposes of this Act, without regard to
17. any other provisions of law and under such regulations as the
18. Director may prescribe, in an amount not exceeding \$10,000, any
19. claim against the United States for loss of or damage to real or
20. personal property (including loss of occupancy or use thereof),
21. belonging to, or for personal injury or death of, any person not
22. a citizen or resident of the United States, where such claim arises
23. abroad out of the act or omission of any Agency employee or out of
24. the act or omission of any person acting on behalf of the Agency
25. but only if such claim is presented in writing to the Agency

1. activity involved within one year after it accrues."

2. (7) Paragraph (4) of section 104(a) of the Internal Revenue
3. Code of 1954 (26 U.S.C. 104(a)(4)) (relating to the exclusion
4. from gross income of compensation for injuries and sickness) is
5. hereby amended to read as follows:

6. "(4) amounts received as a pension, annuity, or similar allow-
7. ance for personal injuries or sickness resulting from active service
8. in the armed forces of any country or in the Coast and Geodetic
9. Survey or the Public Health Service, or as a disability annuity
10. payable under the provisions of section 831 of the Foreign Service
11. Act of 1946, as amended (22 U.S.C. 1081; 60 Stat. 1021), or as a
12. disability annuity payable under Title II of the Central Intelligence
13. Agency Act of 1949, as amended (50 U.S.C. 403(a) et seq.)."

14. (8) Renumber section 7 to read section 8. Renumber section 8
15. to read section 9, APPROPRIATIONS. Renumber section 9 to read
16. section 10, SEPARABILITY OF PROVISIONS. Renumber section 10 to
17. read section 11, SHORT TITLE. Add a new section 7 as follows:

18. "7(a) For the benefit of or for use in connection with the
19. Agency or for the benefit or welfare of employees of the Agency
20. or their dependents, the Director is authorized, notwithstanding
21. any other provisions of law:

22. (1) to receive gifts to the Agency and in his discretion to
23. accept, receive, hold, administer, and expend or dispose of such
24. gifts and bequests of property from individuals or others;

25. (2) to disburse gifts, bequests of money, interest, profits,
26. income, or proceeds from sales of other property received as gifts

1. in accordance with the terms and conditions of the acceptance of
2. any particular gift or bequest;
3. (3) to invest, reinvest or retain investments of the money,
4. property or securities and the interest, profits, or proceeds
5. accruing from such money, property or securities;
6. Provided, however, that the Director is not authorized, as a conse-
7. quence of gifts or bequests of money, property or securities to the
8. Agency, to engage in any business or to exercise any voting privilege
9. which may be incidental to securities in his hands received as a
10. gift to the Agency, nor shall the Director make any investments
11. that could not lawfully be made by a trust company in the District
12. of Columbia, except that he may make any investments directly
13. authorized by the instrument of gift, and may retain any investments
14. accepted by him; provided further, that gifts, bequests of money,
15. or proceeds from other property are not utilized for the conduct of
16. activities by the Agency, as authorized in 50 U.S.C. 403(d) et seq.
17. through the augmentation or in lieu of appropriations by the United
18. States Congress; and provided further, that the funds represented
19. by the gifts, bequests of money or proceeds from other property are
20. not commingled with funds appropriated by the United States Congress.
21. "(b) For the purpose of Federal income, estate and gift taxes,
22. gifts and bequests accepted by the Director shall be deemed to be
23. a gift or bequest to or for the use of the United States."
24. Section 3. Insert the heading "TITLE I -- DEFINITIONS AND GENERAL
25. AUTHORITIES" before the section title, "DEFINITIONS", of section 1
26. of the Central Intelligence Agency Act of 1949, as amended.

1. Section 4. The Central Intelligence Agency Act of 1949, as amended,
2. is further amended by the addition of TITLE II as follows:

3. "TITLE II -- THE CENTRAL INTELLIGENCE AGENCY RETIREMENT
4. AND DISABILITY SYSTEM

5. "PART A -- ESTABLISHMENT OF SYSTEM

6. "Rules and Regulations

7. "Sec. 201. (a) The Director may prescribe rules and regulations for
8. the establishment and maintenance of a Central Intelligence Agency
9. Retirement and Disability System, referred to hereafter as the
10. System.

11. "(b) The Director shall administer the System in accordance
12. with such rules and regulations and with the principles established
13. by this Act.

14. "Establishment and Maintenance of Fund

15. "Sec. 202. There is hereby created a fund to be known as the
16. Central Intelligence Agency Retirement and Disability Fund which
17. shall be maintained by the Director. The Central Intelligence
18. Agency Retirement and Disability Fund is referred to hereafter in
19. this title as the Fund.

20. "Participants

21. "Sec. 203. The Director may designate from time to time such Agency
22. officers and employees, hereafter referred to as participants, who
23. shall be entitled to the benefits of the System.

24. "Annuitants

25. "Sec. 204. (a) Annuitants shall be persons who are receiving annuities

1. from the Fund and all persons, including surviving wives and husbands,
2. widows, dependent widowers, children and beneficiaries of participants
3. or annuitants who shall become entitled to receive annuities in
4. accordance with the provisions of this Act.

5. "(b) When used in this title the term --

6. "(1) "Widow" means the surviving wife of a participant who was
7. married to such participant for at least two years immediately pre-
8. ceding his death or is the mother of issue by such marriage.

9. "(2) "Dependent widower" means the surviving husband of a
10. participant who was married to such participant for at least two
11. years immediately preceding her death or is the father of issue by
12. such marriage, and who is incapable of self-support by reason of
13. mental or physical disability, and who received more than one-half
14. of his support from such participant.

15. "(3) "Child" means an unmarried child, under the age of
16. eighteen years, or such unmarried child regardless of age who
17. because of physical or mental disability incurred before age
18. eighteen is incapable of self-support. In addition to the off-
19. spring of the participant and his or her spouse the term includes
20. (a) an adopted child, and (b) a step-child or recognized natural
21. child who received more than one-half of his support from the
22. participant.

23. "PART B -- COMPULSORY CONTRIBUTIONS

24. "Sec. 211. (a) Six and one-half per centum of the basic salary
25. received by each participant shall be contributed to the Fund for

1. the payment of annuities, cash benefits, refunds, and allowances.
2. An equal sum shall also be contributed from the respective appro-
3. priation or fund which is used for payment of his salary. The
4. amounts deducted and withheld from basic salary together with the
5. amounts so contributed from the appropriation or fund, shall be
6. deposited by the Agency to the credit of the Fund.

7. "(b) Each participant shall be deemed to consent and agree to
8. such deductions from basic salary, and payment less such deductions
9. shall be a full and complete discharge and acquittance of all claims
10. and demands whatsoever for all regular services during the period
11. covered by such payment, except the right to the benefits to which
12. he shall be entitled under this Act, notwithstanding any law, rule,
13. or regulation affecting the individual's salary.

14. "PART C -- COMPUTATION OF ANNUITIES

15. "Sec. 221. (a) The annuity of a participant shall be equal to
16. 2 per centum of his average basic salary for the highest five
17. consecutive years of service, for which full contributions have
18. been made to the Fund, multiplied by the number of years, not
19. exceeding thirty-five, of service credit obtained in accordance
20. with the provisions of sections 251, 252 and 253. In determining
21. the aggregate period of service upon which the annuity is to be
22. based, the fractional part of a month, if any, shall not be counted.

23. "(b) At the time of retirement, any married participant may
24. elect to receive a reduced annuity and to provide for an annuity
25. payable to his wife or her husband, commencing on the date following

1. such participant's death and terminating upon the death of such
2. surviving wife or husband. The annuity payable to the surviving
3. wife or husband after such participant's death shall be 50 per centum
4. of the amount of the participant's annuity computed as prescribed
5. in paragraph (a) of this section, up to the full amount of such
6. annuity specified by him as the base for the survivor benefits.
7. The annuity of the participant making such election shall be reduced
8. by $2\frac{1}{2}$ per centum of any amount up to \$2,400 he specifies as the base
9. for the survivor benefit plus 10 per centum of any amount over
10. \$2,400 so specified.

11. "(c) (1) If an annuitant dies and is survived by a wife or
12. husband and by a child or children, in addition to the annuity
13. payable to the surviving wife or husband, there shall be paid to
14. or on behalf of each child an annuity equal to the smallest of:
15. (i) 40 per centum of the annuitant's average basic salary, as
16. determined under paragraph (a) of this section, divided by the
17. number of children; (ii) \$600; or (iii) \$1,800 divided by the
18. number of children.

19. "(2) If an annuitant dies and is not survived by a wife or
20. husband but by a child or children, each surviving child shall be
21. paid an annuity equal to the smallest of: (i) 50 per centum of the
22. annuitant's average basic salary, as determined under paragraph (a)
23. of this section, divided by the number of children; (ii) \$720; or
24. (iii) \$2,160 divided by the number of children.

25. "(d) If a surviving wife or husband dies or the annuity of a

1. child is terminated, the annuities of any remaining children shall
2. be recomputed and paid as though such wife, husband, or child had
3. not survived the participant.

4. "(e) The annuity payable to a child under paragraph (c) or (d)
5. of this section shall begin on the first day of the next month after
6. the participant dies and such annuity or any right thereto shall be
7. terminated upon death, marriage, or attainment of the age of
8. eighteen years, except that, if a child is incapable of self-support
9. by reasons of mental or physical disability, the annuity shall be
10. terminated only when such child dies, marries, or recovers from
11. such disability.

12. "(f) At the time of retirement an unmarried participant may
13. elect to receive a reduced annuity and to provide for an annuity
14. equal to 50 per centum of the reduced annuity payable after his
15. or her death to a beneficiary whose name shall be designated in
16. writing to the Director. The annuity payable to a participant
17. making such election shall be reduced by 10 per centum of an annuity
18. computed as provided in paragraph (a) of this section and by
19. 5 per centum of an annuity so computed for each full five years
20. the person designated is younger than the retiring participant,
21. but such total reduction shall not exceed 40 per centum. No such
22. election of a reduced annuity payable to a beneficiary shall be
23. valid until the participant shall have satisfactorily passed a
24. physical examination as prescribed by the Director. The annuity
25. payable to a beneficiary under the provisions of this paragraph

1. shall begin on the first day of the next month after the participant
2. dies. Upon the death of the surviving beneficiary all payments
3. shall cease and no further annuity payments authorized under this
4. paragraph shall be due or payable.

5. "PART D -- BENEFITS ACCRUING TO CERTAIN PARTICIPANTS

6. "Retirement for Disability or Incapacity --

7. Physical Examination -- Recovery

8. "Sec. 231. (a) Any participant who has five years of service
9. credit toward retirement under the System, excluding military or
10. naval service that is credited in accordance with provisions of
11. section 251 or 252(a)(2), and who becomes totally disabled or
12. incapacitated for useful and efficient service by reason of disease,
13. illness, or injury not due to vicious habits, intemperance, or willful
14. misconduct on his part, shall, upon his own application or upon
15. order of the Director, be retired on an annuity computed as pre-
16. scribed in section 221. If the disabled or incapacitated
17. participant has less than twenty years of service credit toward
18. his retirement under the System at the time he is retired, his
19. annuity shall be computed on the assumption that he has had twenty
20. years of service, but the additional service credit that may accrue
21. to a participant under this provision shall in no case exceed the
22. difference between his age at the time of retirement and the
23. mandatory retirement age applicable to his grade in the Agency.

24. "(b) In each case, the participant shall be given a physical
25. examination by one or more duly qualified physicians or surgeons

1. designated by the Director to conduct examinations, and disability
2. shall be determined by the Director on the basis of the advice of
3. such physicians or surgeons. Unless the disability is permanent,
4. like examinations shall be made annually until the annuitant has
5. reached the statutory mandatory retirement age for his grade in the
6. Agency. If the Director determines, on the basis of the advice of
7. one or more duly qualified physicians or surgeons conducting such
8. examinations that an annuitant has recovered to the extent that he
9. can return to duty, the annuitant may apply for reinstatement or
10. reappointment in the Agency within one year from the date his recovery
11. is determined. Upon application the Director may reinstate any such
12. recovered disability annuitant in the grade in which he was serving
13. at time of retirement, or the Director may, taking into consideration
14. the age, qualifications, and experience of such annuitant, and the
15. present grade of his contemporaries in the Agency, appoint him to
16. a grade higher than the one in which he was serving prior to retire-
17. ment. Payment of the annuity shall continue until a date six months
18. after the date of the examination showing recovery or until the date
19. of reinstatement or reappointment in the Agency, whichever is earlier.
20. Fees for examinations under this provision, together with reasonable
21. traveling and other expenses incurred in order to submit to examina-
22. tion, shall be paid out of the Fund. If the annuitant fails to
23. submit to examination as required under this section, payment of the
24. annuity shall be suspended until continuance of the disability is
25. satisfactorily established.

1. "(c) If a recovered disability annuitant whose annuity is
2. discontinued is for any reason not reinstated or reappointed in the
3. Agency, he shall be considered to have been separated within the
4. meaning of section 234 as of the date he was retired for disability
5. and he shall, after the discontinuance of the disability annuity,
6. be entitled to the benefits of that section or of section 241(a)
7. except that he may elect voluntary retirement in accordance with the
8. provisions of section 233 if he can qualify under its provisions.

9. "(d) No participant shall be entitled to receive an annuity
10. under this Act and compensation for injury or disability to himself
11. under the Federal Employees' Compensation Act of September 7, 1916,
12. as amended, covering the same period of time. This provision shall
13. not bar the right of any claimant to the greater benefit conferred
14. by either Act for any part of the same period of time. Neither this
15. provision nor any provision of the said Act of September 7, 1916, as
16. amended, shall be so construed as to deny the right of any person
17. to receive an annuity under this Act by reason of his own services
18. and to receive concurrently any payment under such Act of
19. September 7, 1916, as amended, by reason of the death of any other
20. person.

21. "(e) Notwithstanding any provision of law to the contrary, the
22. right of any person entitled to an annuity under this Act shall not
23. be affected because such person has received an award of compensation
24. in a lump sum under section 14 of the Federal Employees' Compensation
25. Act of September 7, 1916, as amended, except that where such annuity

1. is payable on account of the same disability for which compensation
2. under such section has been paid, so much of such compensation as has
3. been paid for any period extended beyond the date such annuity becomes
4. effective, as determined by the Secretary of Labor, shall be refunded
5. to the Department of Labor, to be paid into the Federal Employees'
6. Compensation Fund. Before such person shall receive such annuity
7. he shall (1) refund to the Department of Labor the amount representing
8. such computed payments for such extended period, or (2) authorize
9. the deduction of such amount from the annuity payable to him under
10. this Act, which amount shall be transmitted to such Department for
11. reimbursement to such Fund. Deductions from such annuity may be
12. made from accrued and accruing payments, or may be prorated against
13. and paid from accruing payments in such manner as the Secretary of
14. Labor shall determine, whenever he finds that the financial circum-
15. stances of the annuitant are such as to warrant such deferred
16. refunding.

17. "Death in Service

18. "Sec. 232. (a) In case a participant dies and no claim for
19. annuity is payable under the provisions of this Act, his contribu-
20. tions to the Fund, with interest at the rates prescribed in sections
21. 241 (a) and 281 (a), shall be paid in the order of precedence shown
22. in section 241 (b).

23. "(b) If a participant, who has at least five years of service
24. credit toward retirement under the System, excluding military or
25. naval service that is credited in accordance with the provisions of

1. section 251 or 252 (a) (2), dies before separation or retirement
2. from the Agency and is survived by a widow or a dependent widower,
3. as defined in section 204, such widow or dependent widower shall
4. be entitled to an annuity equal to 50 per centum of the annuity
5. computed in accordance with the provisions of paragraph (e) of this
6. section and of section 221 (a). The annuity of such widow or
7. dependent widower shall commence on the date following death of the
8. participant and shall terminate upon death of the widow or dependent
9. widower, or upon the dependent widower's becoming capable of self-
10. support.

11. "(c) If a participant who has at least five years of service
12. credit toward retirement under the System, excluding military or
13. naval service that is credited in accordance with the provisions
14. of section 251 or 252 (a) (2), dies before separation or retirement
15. from the Agency and is survived by a wife or a husband and a child
16. or children, each surviving child shall be entitled to an annuity
17. computed in accordance with the provisions of section 221(c)(1).
18. The child's annuity shall begin and be terminated in accordance
19. with the provisions of section 221(e). Upon the death of the
20. surviving wife or husband or termination of the annuity of a child,
21. the annuities of any remaining children shall be recomputed and
22. paid as though such wife or husband or child had not survived the
23. participant.

24. "(d) If a participant who has at least five years of service
25. credit toward retirement under the System, excluding military or

1. naval service that is credited in accordance with the provisions of
2. section 251 or 252(a)(2), dies before separation or retirement from
3. the Agency and is not survived by a wife or husband, but by a child
4. or children, each surviving child shall be entitled to an annuity
5. computed in accordance with the provisions of section 221(c)(2).
6. The child's annuity shall begin and terminate in accordance with the
7. provisions of section 221(e). Upon termination of the annuity of a
8. child, the annuities of any remaining children shall be recomputed
9. and paid as though that child had never been entitled to the benefit.

10. "(e) If, at the time of his or her death, the participant had
11. less than twenty years of service credit toward retirement under the
12. System, the annuities payable in accordance with paragraph (b) of
13. this section shall be computed in accordance with the provisions of
14. section 221 on the assumption he or she has had twenty years of
15. service, but the additional service credit that may accrue to a
16. deceased participant under this provision shall in no case exceed
17. the difference between his or her age on the date of death and the
18. mandatory retirement age applicable to his or her grade in the Agency.
19. In all cases arising under paragraphs (b), (c), (d), or (e) of this
20. section, it shall be assumed that the deceased participant was
21. qualified for retirement on the date of his death.

22. "Voluntary Retirement

23. "Sec. 233. Any participant in the System who is at least
24. fifty years of age and has rendered twenty years of service,
25. including service within the meaning of section 253, may on

1. his own application and with the consent of the Director be
2. retired from the Agency and receive benefits in accordance with
3. the provisions of section 221.

4. "Discontinued Service Retirement

5. "Sec. 234. (a) Any participant who separates from the Agency
6. after obtaining at least five years of service credit toward re-
7. tirement under the System, excluding military or naval service
8. that is credited in accordance with the provisions of section
9. 251 or 252 (a)(2), may, upon separation from the Agency or at
10. any time prior to becoming eligible for an annuity, elect to have
11. his contributions to the Fund returned to him in accordance with
12. the provisions of section 241, or (except in cases where the
13. Director determines that separation was based in whole or in part
14. on the ground of disloyalty to the United States) to leave his
15. contributions in the Fund and receive an annuity, computed as
16. prescribed in section 221, commencing at the age of sixty years.

17. "(b) If a participant who has qualified in accordance with
18. the provisions of paragraph (a) of this section to receive a
19. deferred annuity commencing at the age of sixty dies before
20. reaching the age of sixty his contributions to the Fund, with
21. interest, shall be paid in accordance with the provisions of
22. sections 241 and 281.

23. "(c) The Director may in his discretion retire participants
24. in grade GS-14 and above to promote the efficiency of the Agency
25. and they shall receive retirement benefits in accordance with

1. the provisions of section 221.

2. "(d) The Director may in his discretion retire participants
3. in grade GS-13 and below to promote the efficiency of the Agency
4. and each such officer shall receive--

5. "(1) one-twelfth of a year's salary at his then current salary
6. rate for each year of service and proportionately for a fraction of
7. a year, but not exceeding a total of one year's salary at his then
8. current salary rate, payable without interest, from the Fund, in
9. three equal installments on the 1st day of January following the
10. officer's retirement and on the two anniversaries of this date
11. immediately following: Provided, That in special cases, the
12. Director may in his discretion accelerate or combine the install-
13. ments; and

14. "(2) a refund of the contributions made to the Fund, with
15. interest as provided in section 241 (a), except that in lieu of
16. such refund such officer, if he has at least five years of service
17. credit toward retirement under the System, excluding military or
18. naval service that is credited in accordance with the provisions
19. of section 251 or 252 (a), may elect to receive retirement benefits
20. on reaching the age of sixty in accordance with the provisions of
21. section 221. In the event that an officer who was separated from
22. grade GS-13 or GS-12 and who has elected to receive retirement
23. benefits dies before reaching the age of sixty, his death shall
24. be considered a death in service within the meaning of section
25. 232. In the event that an officer who was separated from

1. grade GS-11 or below and who has elected to receive retirement
2. benefits dies before reaching the age of sixty, the total amount
3. of his contributions made to the Fund, with interest as provided
4. in section 241(a), shall be paid in accordance with the provisions
5. of section 241(b).

6. "(e) Notwithstanding the provisions of section 3477 of the
7. Revised Statutes, as amended (31 U.S.C. 203) or the provisions of
8. any other law, an Agency officer who is retired in accordance with
9. the provisions of section 234 (d) shall have the right to assign to
10. any person or corporation the whole or any part of the benefits
11. receivable by him pursuant to paragraph (d) (1) of this section.

12. "Mandatory Retirement for Age

13. "Sec. 235. (a) Any participant in the System in grade GS-18
14. or above, shall upon reaching the age of sixty-five, be retired
15. from the Agency and receive retirement benefits in accordance with
16. the provisions of section 221, but whenever the Director shall
17. determine it to be in the public interest, he may extend such an
18. officer's service for a period not to exceed five years.

19. "(b) Any participant in the System, other than in grade GS-18
20. or above, shall upon reaching the age of sixty, be retired from the
21. Agency and receive retirement benefits in accordance with the
22. provisions of section 221, but whenever the Director shall determine
23. it to be in the public interest, he may extend such an officer's
24. service for a period not to exceed five years.

1. "PART E -- DISPOSITION OF CONTRIBUTIONS AND INTEREST

2. IN EXCESS OF BENEFITS RECEIVED

3. "Sec. 241. (a) Whenever a participant becomes separated from
4. the Agency without becoming eligible for an annuity or a deferred
5. annuity in accordance with the provisions of this Act, the total
6. amount of contributions from his salary with interest thereon at
7. 4 per centum per annum, compounded annually as of December 31, and
8. proportionately for the period served during the year of separation
9. including all contributions made during or for such period, except
10. as provided in section 281, shall be returned to him.

11. "(b) In the event that the total contributions of a retired
12. participant, other than voluntary contributions made in accordance
13. with the provisions of section 281, with interest at 4 per centum
14. per annum compounded annually as is provided in paragraph (a) of
15. this section added thereto, exceed the total amount returned to
16. such participant or to an annuitant claiming through him, in the
17. form of annuities, accumulated at the same rate of interest up to
18. the date the annuity payments cease under the terms of the annuity,
19. the excess of the accumulated contributions over the accumulated
20. annuity payments shall be paid in the following order of precedence,
21. upon the establishment of a valid claim therefor, and such payment
22. shall be a bar to recovery by any other person:

23. "(1) To the beneficiary or beneficiaries designated by the
24. retired participant in writing to the Director;

25. "(2) If there be no such beneficiary, to the surviving wife

1. or husband of such participant;
2. "(3) If none of the above, to the child or children of such
3. participant and descendants of deceased children by representation;
4. "(4) If none of the above, to the parents of such participant
5. or the survivor of them;
6. "(5) If none of the above, to the duly appointed executor or
7. administrator of the estate of such participant;
8. "(6) If none of the above, to other next of kin of such
9. participant as may be determined by the Director in his judgment
10. to be legally entitled thereto.
11. "(c) No payment shall be made pursuant to paragraph (b) (6) of
12. this section until after the expiration of thirty days from the
13. death of the retired participant or his surviving annuitant.
14. "PART F -- PERIOD FOR SERVICE FOR ANNUITIES
15. "Computation of Length of Service
16. "Sec. 251. For the purposes of this title, the period of
17. service of a participant shall be computed from the date he becomes
18. a participant under the provisions of this Act, but all periods of
19. separation from the Agency and so much of any leaves of absence
20. without pay as may exceed six months in the aggregate in any calendar
21. year shall be excluded, except leaves of absence while receiving
22. benefits under the Federal Employees' Compensation Act of
23. September 7, 1916, as amended, and leaves of absence granted
24. participants while performing active and honorable military or
25. naval service in the Army, Navy, Air Force, Marine Corps, or

1. Coast Guard of the United States.

2. "Prior Service Credit

3. "Sec. 252. (a) A participant may, subject to the provisions
4. of this section, include in his period of service --

5. "(1) civilian service in the executive, judicial, and legis-
6. lative branches of the Federal Government and in the District of
7. Columbia government, prior to becoming a participant; and

8. "(2) active and honorable military or naval service in the
9. Army, Navy, Marine Corps, Air Force, or Coast Guard of the United
10. States.

11. "(b) A person may obtain prior civilian service credit in
12. accordance with the provisions of paragraph (a) (1) of this section
13. by making a special contribution to the Fund equal to 5 per centum
14. of his basic annual salary for each year of service for which credit
15. is sought prior to November 8, 1960, and at $6\frac{1}{2}$ per centum thereafter
16. with interest compounded annually at 4 per centum per annum to the
17. date of payment. Any such person may, under such conditions as may
18. be determined in each instance by the Director, pay such special
19. contributions in installments.

20. "(c)(1) If an officer or employee under some other Government
21. retirement system, becomes a participant in the System by direct
22. transfer, such officer or employee's total contributions and deposits,
23. including interest accrued thereon, except voluntary contributions,
24. shall be transferred to the Fund effective as of the date such officer
25. or employee becomes a participant in the System. Each such officer

1. or employee shall be deemed to consent to the transfer of such funds
2. and such transfer shall be a complete discharge and acquittance of
3. all claims and demands against the other Government retirement fund
4. on account of service rendered prior to becoming a participant in
5. the System.

6. "(2) No officer or employee, whose contributions are trans-
7. ferred to the Fund in accordance with the provisions of paragraph
8. (c)(1) of this section, shall be required to make contributions in
9. addition to those transferred, for periods of service for which full
10. contributions were made to the other Government retirement fund,
11. nor shall any refund be made to any such officer or employee on
12. account of contributions made during any period to the other Govern-
13. ment retirement fund, at a higher rate than that fixed by section 211
14. of this Act for contributions to the Fund.

15. "(3) No officer or employee, whose contributions are transferred
16. to the Fund in accordance with the provisions of paragraph (c)(1)
17. of this section, shall receive credit for periods of service for
18. which a refund of contributions has been made, or for which no
19. contributions were made to the other Government retirement fund.
20. A participant may, however, obtain credit for such prior service
21. by making a special contribution to the Fund in accordance with the
22. provisions of paragraph (b) of this section.

23. "(d) No participant may obtain prior civilian service credit
24. toward retirement under the System for any period of civilian
25. service on the basis of which he is receiving or will in the future

1. be entitled to receive any annuity under another retirement system
2. covering civilian personnel of the Government.

3. "(e) A participant may obtain prior military or naval service
4. credit in accordance with the provisions of paragraph (a) (2) of
5. this section by applying for it to the Director prior to retirement
6. or separation from the Agency. However, in the case of a participant
7. who is eligible for and receives retired pay on account of military
8. or naval service, the period of service upon which such retired pay
9. is based shall not be included, except that in the case of a
10. participant who is eligible for and receives retired pay on account
11. of a service-connected disability incurred in combat with an enemy
12. of the United States or caused by an instrumentality of war and
13. incurred in line of duty during a period of war (as that term is
14. used in chapter 11 of title 38, United States Code), or is awarded
15. under chapter 67 of title 10 of the United States Code, the period
16. of such military or naval service shall be included. No contri-
17. butions to the Fund shall be required in connection with military
18. or naval service credited to a participant in accordance with the
19. provisions of paragraph (a) (2) of this section.

20. "Credit for Service at Unhealthful Posts

21. "Sec. 253. The Director may from time to time establish a
22. list of places which by reason of climatic or other extreme con-
23. ditions are to be classed as unhealthful posts, and each year of
24. duty at such posts inclusive of regular leaves of absence, of
25. participants hereafter retired, shall be counted as one year and

1. a half, and so on in like proportion in reckoning the length of
2. service for the purpose of retirement, fractional months being
3. considered as full months in computing such service, but no
4. such extra credit for service at such unhealthful posts shall be
5. credited to any participant who shall have been paid a salary
6. differential for such service.

7. "Credit for Service While on Military Leave

8. "Sec. 254. Contributions shall not be required covering
9. periods of leave of absence from the Agency granted a participant
10. while performing active military or naval service in the Army,
11. Navy, Air Force, Marine Corps, or Coast Guard of the United States.

12. "PART G -- MONEYS

13. "Estimate of Appropriations Needed

14. "Sec. 261. The Director shall prepare the estimates of the
15. annual appropriations required to be made to the Fund, and shall
16. cause to be made actuarial valuations of the Fund at intervals
17. of five years, or oftener if deemed necessary by him.

18. "Investment of Moneys in the Fund

19. "Sec. 262. The Director may, with the approval of the
20. Secretary of the Treasury, invest from time to time in interest-
21. bearing securities of the United States such portions of the
22. Fund as in his judgment may not be immediately required for the
23. payment of annuities, cash benefits, refunds, and allowances,
24. and the income derived from such investments shall constitute a
25. part of such Fund.

1. "Attachment of Moneys

2. "Sec. 263. None of the moneys mentioned in this title shall
3. be assignable either in law or equity, or be subject to execution,
4. levy, attachment, garnishment, or other legal process, except as
5. provided in section 234 (e).

6. "PART H -- ANNUITANTS RECALLED, REINSTATED OR
7. REAPPOINTED IN THE AGENCY OR REEMPLOYED IN
8. THE GOVERNMENT

9. "Recall

10. "Sec. 271. (a) The Director may recall any annuitant to duty
11. in the Agency whenever he shall determine such recall is in the
12. public interest.

13. "(b) Any annuitant recalled to duty in the Agency or reinstated
14. or reappointed in accordance with the provisions of section 231(b)
15. shall, while so serving, be entitled in lieu of his annuity to the
16. full salary of the grade in which he is serving. During such
17. service, he shall make contributions to the Fund in accordance
18. with the provisions of section 211. When he reverts to his retired
19. status, his annuity shall be determined anew in accordance with
20. the provisions of section 221.

21. "Reemployment Compensation

22. "Sec. 272. (a) Notwithstanding any other provision of law,
23. any officer or employee of the Agency, who has retired under this
24. Act, as amended, and is receiving an annuity pursuant thereto,
25. and who is reemployed in the Federal Government service in any

1. appointive position either on a part-time or full-time basis,
2. shall be entitled to receive the salary of the position in which
3. he is serving plus so much of his annuity payable under this Act,
4. as amended, which when combined with such salary does not exceed
5. during any calendar year the basic salary such officer or employee
6. was entitled to receive on the date of his retirement from the
7. Agency. Any such reemployed officer or employee who receives
8. salary during any calendar year in excess of the maximum amount
9. which he may be entitled to receive under this paragraph shall
10. be entitled to such salary in lieu of benefits hereunder.

11. "(b) When any such retired officer or employee of the Agency
12. is reemployed, the employer shall send a notice to the Agency of
13. such reemployment together with all pertinent information relating
14. thereto, and shall pay directly to such officer or employee the
15. salary of the position in which he is serving.

16. "(c) In the event of any overpayment under this section,
17. such overpayment shall be recovered by withholding the amount
18. involved from the salary payable to such reemployed officer or
19. employee, or from any other moneys, including his annuity, payable
20. in accordance with the provisions of this title.

21. "Reemployment

22. "Sec. 273. Notwithstanding the provisions of title 5,
23. United States Code, section 62, and title 5, United States Code,
24. section 715a, an Agency officer or employee retired under the
25. provisions of this Act shall not, by reason of his retired status,

1. be barred from employment in Federal Government service in any
2. appointive position for which he is qualified. An annuitant so
3. reemployed shall serve at the will of the appointing officer.

4. "PART I -- VOLUNTARY CONTRIBUTIONS

5. "Sec. 281. (a) Any participant may, at his option and under
6. such regulations as may be prescribed by the Director, deposit
7. additional sums in multiples of 1 per centum of his basic salary,
8. but not in excess of 10 per centum of such salary, which amounts
9. together with interest at 3 per centum per annum, compounded
10. annually as of December 31, and proportionately for the period
11. served during the year of his retirement, including all contri-
12. butions made during or for such period, shall, at the date of his
13. retirement and at his election, be--

14. "(1) returned to him in lump sum; or

15. "(2) used to purchase an additional life annuity; or

16. "(3) used to purchase an additional life annuity for himself
17. and to provide for a cash payment on his death to a beneficiary
18. whose name shall be notified in writing to the Director by the
19. participant; or

20. "(4) used to purchase an additional life annuity for himself
21. and a life annuity commencing on his death payable to a beneficiary
22. whose name shall be notified in writing to the Director by the
23. participant with a guaranteed return to the beneficiary or his
24. legal representative of an amount equal to the cash payment
25. referred to in subparagraph (3) above.

1. "(b) The benefits provided by subparagraphs (2), (3), or (4)
2. of paragraph (a) of this section shall be actuarially equivalent
3. in value to the payment provided for by subparagraph (a) (1) of
4. this section and shall be calculated upon such tables of mortality
5. as may be from time to time prescribed for this purpose by the
6. Director.

7. "(c) In case a participant shall become separated from the
8. Agency for any reason except retirement on an annuity, the amount
9. of any additional deposits with interest at 3 per centum per annum,
10. compounded as is provided in paragraph (a) of this section, made
11. by him under the provisions of said paragraph (a) shall be
12. refunded in the manner provided in section 241 for the return of
13. contributions and interest in the case of death or separation
14. from the Agency.

15. "(d) Any benefits payable to an officer or to his beneficiary
16. in respect to the additional deposits provided under this section
17. shall be in addition to the benefits otherwise provided under
18. this title."